

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MILTON H. FRIED JR., *et al.*,
Plaintiffs,

v.

SENSIA SALON, INC., *et al.*,
Defendants.

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CIVIL ACTION NO. H-13-0312


ORDER

Plaintiffs filed a Third Amended Class Action Complaint [Doc. # 35], naming Sensia Salon, Inc. (“Sensia”), Textmunications, Inc. (“Textmunications”), and Air2Web as Defendants. On November 4, 2013, Air2Web filed a Chapter 11 bankruptcy petition. *See* Notice of Filing of Bankruptcy Petitions and of the Automatic Stay [Doc. # 79]. By Memorandum and Order [Doc. # 85] entered November 27, 2013, the Court granted Sensia’s Motion to Stay Proceedings Pending Primary Jurisdiction Referral, and directed the parties to proceed before the Federal Communications Commission (“FCC”). The case remained open because Plaintiffs asserted claims against Textmunications and a remaining invasion of privacy claim against Sensia. By Order [Doc. # 86] entered November 27, 2013, the Court granted Plaintiffs’ Motion for Entry of Default Judgment against Textmunications and deferred a decision on damages until the FCC proceeding is complete. By Order [Doc. # 93]

entered September 12, 2014, the Court granted Plaintiffs' Motion for Dismissal of all claims against Sensia based on the parties' settlement. As a result, the only remaining claims in this case are either awaiting a decision by the FCC or subject to the automatic bankruptcy stay. As a result, it is hereby

ORDERED that this case is **STAYED AND ADMINISTRATIVELY CLOSED** until the FCC proceeding is concluded. Counsel shall continue to file a written status report every six (6) months until the case is reinstated on the Court's active docket. The next status report is due **February 17, 2015**.

SIGNED at Houston, Texas, this **10th** day of **October, 2014**.



Nancy F. Atlas
United States District Judge